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Security Council

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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 4 May 2017 from the Permanent Mission of Argentina to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Argentina to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to refer to compliance with paragraph 36 of Security Council resolution 2321 (2016).

The Argentine Republic has the honour to inform the Security Council of the measures it has taken in order to implement effectively the provisions of resolution 2321 (2016), in addition to the information provided in its previous notes verbales (S/AC.49/2006/30 and Add.1 and S/AC.49/2016/46).

As a State Member of the United Nations, Argentina accepts and carries out the decisions of the Security Council, whose resolutions are binding by virtue of Article 25 of the Charter of the United Nations.

Under article 31 of the Constitution, treaties concluded by the Argentine Republic constitute the supreme law of the land and, under article 75, paragraph 22, take precedence over domestic laws.

In this connection, Security Council provisions involving enforcement action are directly applicable in the territory of the Argentine Republic. However, in order for these measures to be enforceable, they must be promulgated by means of publication in the Official Gazette. This requirement is set out in article 3 of Act No. 24,080, which provides that international treaties and agreements creating obligations for natural persons and legal entities other than the State are binding only after their publication in the Official Gazette, in accordance with article 2 of the Argentine Civil Code, which provides that laws become binding only after their publication.

At the domestic level, and following the approval of Decree No. 1521 of 1 November 2004, a decision by the Ministry of Foreign Affairs and Worship is required for the promulgation of measures adopted by the Security Council. In this connection, the Decree stipulates that Security Council resolutions adopted under Chapter VII of the Charter of the United Nations which establish binding measures for Member States that do not involve the use of armed force but entail sanctions, as well as decisions regarding the amendment or termination of such sanctions, must

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be promulgated by the Ministry by means of a decision published in the Official Gazette. The Decree also states that when the Council or its subsidiary organs identify persons or entities subject to sanctions, the Ministry will promulgate and update the relevant lists by means of decisions published in the Official Gazette.

Decree No. 1521 was amended by Decree No. 1867 of 16 October 2014 providing for the online publication of sanctions and lists of persons and entities subject to sanctions. This provision facilitates the incorporation of such lists in the domestic legal order through the official website of the Ministry and publication in the Official Gazette.

Pursuant to Decree No. 1867, in December 2016 an updated version of the Consolidated United Nations Security Council Sanctions List was published on the website of the Ministry of Foreign Affairs. In addition, on 15 February 2017 Ministerial Decision No. 44-E/2017* was published in the Official Gazette, promulgating Security Council resolution 2321 (2016).

* The text referred to is on file with the Secretariat and is available for consultation.